

## MINUTES

### NATURAL RESOURCES COMMISSION MEETING

December 14, 2017  
Lansing Center  
333 E. Michigan Avenue  
Lansing, MI 48933

#### Present for the Natural Resources Commission

John Matonich, chair  
Vicki Pontz  
Rex Schlaybaugh  
Christine Crumbaugh  
Louise Klarr  
J.R. Richardson  
Chris Tracy

#### Present for DNR staff

Keith Creagh, DNR director  
Peter Manning, legal counsel, Office of the Attorney General  
Bill O'Neill, DNR natural resources deputy  
Trevor VanDyke, DNR legislative/legal director  
Brooke Parmalee, DNR legal staff  
Stacy Welling Haughey, UP coordinator  
Cheryl Nelson, executive assistant to the NRC

#### COMMITTEE OF THE WHOLE

**Chairman John Matonich** called the Committee of the Whole meeting to order at 2:25 p.m.

**Thomas L. Washington Lifetime Conservation Award** **Mr. Bill Demmer** was chosen as the recipient of the NRC's 2017 Thomas L. Washington Lifetime Conservation Award. He served as president of the Boone and Crockett Club, a prestigious national organization at the forefront of improving conservation issues. **Mr. Demmer** was a major force in establishing the Boone and Crockett chair in Wildlife Conservation at MSU. With the assistance of his family, **Demmer** established the **John and Marnie Demmer** Shooting Sports, Education and Training Center on the campus of MSU. Most recently, **Demmer** co-chaired the department's Blue Ribbon Committee on southern Michigan state game areas. **Heidi Washington**, Thomas Washington's daughter, added that she is proud that her father is still remembered for his natural resources contributions that he would be overjoyed with the selection of **Mr. Demmer** for this award. **Commissioner Schlaybaugh** added that **Mr. Demmer** has been a student of natural resources and a great steward in making Michigan's natural resources better.

**Office of the Great Lakes Update** **Angela Ayers**, deputy director of the Office of the Great Lakes (OGL) provided a brief program update on their initiatives. She talked about the efforts to combat aquatic invasive species that the OGL is celebrating their accomplishment in the Areas of Concern Program that works with federal, state and local partners to restore impaired waters,

and finally **Ayers** talked about the partnership with Michigan Technological University to promote autonomous vessel technology in the Great Lakes.

**Public Act 288 (PA 288) Update** Forest Resources division chief **Debbie Begalle** announced that **Shannon Hanna** has been selected as the division's assistant chief. **Scott Whitcomb** then shared the progress of the forest road inventory. Public comments have been received from nearly 2000 people on the inventory. **Whitcomb** added that of over 7500 miles of forest roads in the Northern Lower Peninsula, just over 6300 will be available for over-the-road vehicle (ORV) access. Four point three miles will be closed in the Deward Tract after extensive public comments. The next step after the land use order of the director is approved is the posting of public to the department's website. On January 1, these roads will be open to riding. **Whitcomb** said that the public input email address continue to be live to accept comments. In 2018 the division will begin the same forest road inventory process in the Upper Peninsula (UP) as well as the Southern Lower Peninsula. **Director Creagh** added that this next step will be a dynamic process and that the commission will receive routine updates.

**Michigan Natural Resources Trust Fund Grants** Finance and Operations division chief **Sharon Schafer** reported on the recent grant recommendations from the Michigan Natural Resources Trust Fund. There were 166 applications for \$76.1 million in grant monies. The next part of the process is presenting their recommendations to the Legislature for approval. **Schafer** said that these project recommendations may be found on the department's website.

**Bovine Tuberculosis/CWD Special Hunts** Wildlife division's deer and elk specialist **Chad Stewart** talked about two upcoming special disease management hunts to be held in January. The first hunt will be held for antlerless deer only on private land only in Alpena county south of M-32 runs January 4 through January 7 and January 11 through January 14, 2018. An objective for this program is to expand the Hunter Access Program (HAP) where private landowners/farmers allow hunters to hunt deer on their private property in southern Alpena county where deer and cattle are in close proximity. The second disease management hunt for both antler and antlerless deer will be held on public and private lands in northern Ionia county and eastern Montcalm county January 4 through January 7 and January 11 through January 14, 2018. **Stewart** stated that the department wants to expand confidence on where chronic wasting disease (CWD) has occurred in the area.

**Wildlife Conservation Order Amendment No. 7 Update** Natural resources deputy **Bill O'Neill** shared that correspondence received the day before this meeting by the department from Bay County officials requesting that the name change to Bay City State Park to Bay City State Recreation Area be withdrawn thinking that the hunting issue is tied-barred with the name change. This was not the case. The department supports the name change as it would lead to more benefits as a state park; they also support the expanded waterfowl-only hunting in the Tobico Marsh area, that it would provide some additional hunting opportunity that should not negatively affect the state park or the area. The department has toured the area several times, met with various residents and listened to their concerns. It came down to that area residents do not want hunting. The department will evaluate the area hunting and will provide the commission with a report in 2018-2019. As safety was a significant concern, hunting in the area is for limited firearms only.

**Legislative Report Trevor VanDyke**, legislative and legal director, provided a written report of legislation related to the department. In addition to the written report, **VanDyke** provided updates on recent legislative highlights.



### **Committee Reports**

**NRC Marketing, Partnership, Youth and Outreach Advisory Committee: Commissioner Vicki Pontz** stated that the committee received updates on the forestry education campaign, wildlife division education campaign and they received were given information on the department's updated website that will go into effect in January or February. The updated site will make it more user-friendly to mobile device users.

**NRC Policy Committee on Wildlife and Fisheries Committee: Commissioner Rex Schlaybaugh** shared that the committee received updates from Fisheries chief **Dexter**, which included that the Black Lake Sturgeon season will run from February 3 – 7; 2018; the inland trout management plan is almost complete and will be presented to the committee in April; the positive aspects of the re-establishment of the Arctic Grayling; and the Lake Michigan Management Plan is complete and will be presented at the January meeting. Wildlife chief **Mason** reported that more cases of CWD have been reported in Montcalm and Northern Kent counties and that a positive deer was reported from a cervid facility in Mecosta county. Dr. Averill also shared steps the Department of Agriculture and Rural Development will be doing to help combat the disease, including further testing. The first reported case of West Nile disease in grouse has been found in the state. The committee reviewed and approved the 2018 Calendar of Issues with a few modifications. **Chad Stewart** presented the 2017 deer seasons' preliminary results; the UP harvest was significantly up and the northern and southern parts of the state were down. Final results will be presented after survey results are tabulated. They also received a presentation on Common Merganser control permits and regulations to help control swimmer's itch.

### **PUBLIC APPEARANCES BEFORE THE NRC**

(**Stacy Welling-Haughey** read the official timekeeping procedures and guidelines for the meeting's public appearances which began at 3:28 p.m.)

**Mark Jones** and **Mary Rosseel-Jones** made a statement in opposition of listing Sandhill Cranes and Mourning Doves on the game species list in Michigan.

**Curtis Blankespoor, Ph.D.**, a biologist from Jackson College has been doing swimmer's itch research and control work since 1985 and is an owner of Swimmer's Itch Solutions which specializes in swimmer's itch control and the mergansers relocation from Crystal and Higgins lakes. **Blankespoor** shared the results of his three-year study and the two recommendations he is making for Wildlife Conservation Order Amendment No. 1 of 2018 that is before the commission for information on December 14; removing any arbitrary qPCR thresholds and replacing it with "As new technology becomes available and viable, the policy will be updated to provide additional eligibility options and thresholds and also recommended the removing the harassment and/or lethal take of common mergansers as viable options for swimmer's itch control."

**Sam Morello**, president, Michigan Bow Hunters Association, talked about the types of bows to be used in archery season noting that he does not want to see the use of pneumatic guns or air bows. It is not related to a bow and is more related as a gun and should be treated as such. **Morello** asked that archery equipment only be used archery season.



**Brenda Rowley** referenced the letter sent to the commission to retract the request to change the name of the Bay City State Recreation Area to the Bay City State Park. She referenced a letter from **Creagh** to **Jim Barcia** that stated the name change would not change any of the activities that were allowed in the park. **Rowley** also talked about the timeline of the procedure and that prior to the public notice they were not informed of any changes to the area. Because of all the opposition from the people of Bay City, they would like to forego the request for the name change if it means not allowing hunting in Tobico Marsh.

**Scott Rector** spoke in regard to the Bay City State Recreation Area name change to the Bay City State Park; when chief **Olson** presented proposal it was noted there was no mention of expanding hunting on the area. **Rector** said that the community doesn't want to reduce hunting, they do not want the expansion of hunting into the non-hunting part of the park. He referenced a research article about Pittman-Robertson (PR) funding sources where only 4.6% of funding is for wildlife conservation and that the vast majority comes from non-PR funding, roughly 88 percent. The community has made significant contributions for non-hunting activities in the area. **Rector** concluded by saying that the community and department have worked together and they want to continue that partnership to grow the park for both the hunting and non-hunting public.

**Sue Cook** read a statement from **Bob Thomas** which stated that area residents and officials were appreciative that deputy **O'Neill** came out to the area. **Cook** said **O'Neill** shared that it would be very difficult to get into the proposed expansion area, which is less than 400 acres. The important thing to consider is to balance the benefit of hunting or not hunting. There are many other hunting areas around the Bay county area that are easily accessible.

**Jim Sweeney** spoke about CWD and keeping prevalence rates as low as possible. He was shocked that QDMA's position is endorsing a policy that would promote passing on yearling bucks and shooting does instead and which calls for the implementation in antler point restriction (APR) zones. **Sweeney** asked the commission to impose a minimum three year moratorium on any new stakeholder APR initiatives and also for a three year suspension of any current APRs in effect that fall within certain geographic boundaries.

**Erik Schnelle** president, MI QDMA said that there is a need to lower the deer herd. With recent news about CWD, they feel it is important to make the shift to have APRs. He stated that more yearling bucks are currently taken; the ones that are least likely to be infected. Twenty to thirty percent of does need to be taken to control the numbers. Regulatory change is needed.

**John Decker's** statement concerning Tobico Marsh was read by **Kathy Staudacher** which said that he would like the commission to give consideration to his remarks. His statement said that the original intent was to gain better access to the bay, not the changes that are now in front of the commission. Tobico Marsh was intended as a place for recreation his statement.

**Adele Bayley** spoke in opposition to making Sandhill Cranes and Mourning Doves a game species.

**John Bayley** also asked the commission not to move forward with a hunt on Sandhill Cranes and Mourning Doves.

**Julie Baker** reiterated that the commission has not added Sandhill cranes to the games species list. **Baker** expressed that the traditional non-game species be removed for Sandhill Cranes.

**Kathy Staudacher** of the Bay City State Recreation Area planning community, said that expanded hunting is not the desire of their planning committee. They only referenced hunt through the request of better signage. She would like the name change to Bay City State Park but does not want to see expanded hunting in Tobico Marsh.

**Chris Hillman** from Bay City would like to see expanded hunting in Tobico Marsh. He waterfowl hunts various state parks and recreation areas and there have been no events of people being shot. He asked that the name change and expanded hunting in Tobico Marsh be approved.

**Ed Cain** spoke on Public Act 288 and indicated that he appreciates the mapping. He asked the commission to consider including the military land north of Grayling. He talked about the need of the economic boost in the area.

**Matt Royal** spoke regarding Public Act 288 in Crawford county and ethical land use. Education on ethical land use is needed. **Royal** would like the restrictions on ORV reconsidered for Crawford county.

**Andy Bagozzi** also spoke about Public Act 288, ORV use in Crawford county and doesn't want to see road closings to ORVs in the area. He would like to use the property as shared area; it is closed when the military is using the area and opened to ORVs, hunting, etc. the remainder of the time. **Bagozzi** asked the commission to reconsider and recognize this area as open.

**Kent W. Syers** from United Deer Farmers of Michigan shared an update on the live test for deer and cattle available for farmers that doesn't currently meet qualifications to determine disease status. It has been used in other states as a tool. He hopes it will get more accurate with use.

**Director Creagh** provided information on access to military roads that were discussed earlier noting that the military asked that their roads be closed. They will be working with the local community to come up with their own ORV use plan so there will not be the checkboard of access in the area.

**Chuck Nelson** said that the land in question in Bay City was bought with PR funds and expanding the hunting is an appropriate use. He also added that there have been no big conflicts or safety issues at Sleepy Hollow State Park. **Nelson** supported the proposal as presented.

**David Bowers** from Michigan Ducks Unlimited offered that the group of 29,000 members is in support of Wildlife Conservation Order Amendment 7 of 2017, it is consistent with R3 goals in the state. The area was purchased with PR funds and should be open to waterfowl hunting.

**Amy Trotter**, MUCC's deputy director offered their support of Wildlife Conservation Order Amendment 7 of 2017. Outdoor recreation and hunting live together side by side. What has been done in response of the amendment goes beyond what has been done in other parcels. They are neutral on name change.

**Chauncy Moran** shared his thoughts on Tobico Marsh and has paddled the entire marsh and concluded that he is in favor of Wildlife Conservation Order Amendment No. 7 of 2017.



Chairman Matonich adjourned the public appearances portion of the meeting at 4:54 p.m. and called to order the regular meeting of the NRC at 4:55 p.m. He noted that all commissioners who were present at the Committee of the Whole were present for the regular meeting.

## REGULAR MEETING OF THE NATURAL RESOURCES COMMISSION

### FOR INFORMATION ONLY - NATURAL RESOURCES COMMISSION

Matonich reviewed the items up for information only.

#### *Common Merganser Control Permit and Regulations, Wildlife Conservation Order Amendment No. 1 of 2018*

Commissioner Schlaybaugh asked Barb Avers for her thoughts on Dr. Blankenspoor's comments and if she supports them and why or why not and provide her comments to the commission.

### NATURAL RESOURCES COMMISSION ACTION

#### Approval of Minutes, November 9, 2017 Natural Resources Commission Meeting

Commissioner Klarr made a motion that the minutes of the November 9, 2017 NRC meeting be approved. Commissioner Tracy supported the motion. Matonich called for discussion, there being none, a vote was taken and the motion carried unanimously.

#### Order to Re-designate Bay City State Recreation Area to Bay City State Park; Wildlife Conservation Order Amendment No.7 of 2018

Commissioner Klarr moved that Wildlife Conservation Order Amendment No. 7 of 2017, Order to Re-designate Bay City State Recreation Area to Bay City State Park; Tobico Marsh Boundaries be adopted. Commissioner Tracy supported the motion. Commissioner Pontz asked which part is the commission's responsibility and what is director's responsibility. VanDyke provided that information; manner and method of take is approved or denied jointly, land use orders, land transactions and open-closed decisions are for the director's discretion. Because this amendment covers manner and method of take this order is for joint approval. Matonich called for additional discussion, there being none, a vote was taken and the motion carried unanimously.

### DIRECTOR'S ACTION ITEMS

Director Creagh listed the "director's action" items on the agenda and indicated he would approve all items.

### COMMISSIONER REPORTS

Commissioner Pontz shared her experiences at a deer check station in Eagle with Rex Ainslie, and Clay Buchanen and added that it was amazing to see their dedication. She was impressed with their professionalism and with their patience and support with the hunters. She also attended the Michigan Farm Bureau Annual Reception and Dinner.

**Commissioner Schlaybaugh** hunted deer for ten days, and added that Michigan is lucky to have such a good deer hunting culture. He also attended the Roughed Grouse Society Dinner.

**Commissioner Crumbaugh** said that her husband was a successful hunter and that the head was brought in on a Saturday for testing and the results were received on the following Monday. **Crumbaugh** added in regard to the Tobico Marsh area; she does not take the citizen concerns lightly. She believes that the commission does balance and hunting activities around the state very well and asked that they be patient and open-minded on how the area can be managed.

**Commissioner Klarr** thanked **John Matonich** for his work at the Chairman. She said that it's a privilege to hunt in Michigan and that she appreciates Michigan's hunting opportunities.

**Commissioner Tracy** wished safe and happy holidays for all.

**Chairman Matonich** said that this was officially his last meeting as a commissioner. He commented that it's been an honor and privilege to be a part of the commission and wished the commission success in the future. **Matonich** added that he admires the men and women of the department; they are second to none and that he's learned much from them. He also thanked the stakeholder groups, saying that he takes issues to heart, that we are all trying to attain the same goal.

#### Next Meeting

**Chairman Matonich** announced that the next meeting of the NRC is scheduled for Thursday, January 11, 2018, at the MSU Veterinary Diagnostic Laboratory, 4125 Beaumont Road, Lansing. Committees meeting that day will be the Michigan State Parks Advisory Committee and the NRC Policy Committee on Wildlife and Fisheries.

#### Adjournment

**Commissioner Tracy** made a motion to adjourn. **Commissioner Pontz** seconded and the meeting was adjourned at 5:06 p.m.

APPROVED: Date: 1/11/2018

  
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Vicki Pontz, NRC Chair

  
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Keith Creagh, DNR Director